Previous references.

1912.

File No. 129-12

Later references. (S. R)

Serial Nos. 1-4

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-4

Part B. for March 13.

SUBJECT.

Additional powers to Excise Asst Inspectors deputed for detection work.

From the Excise Commr in mysore
No 3624 Dt 6.11.12
Points out that the Asstt Inspector in charge of the detective party has to Conduct searches under Sec 31, mysore Excise Regulation for the successful working of the scheme and requests that Asstt Inspectors of any grade in charge of the detective party maybe empowered to Conduct searches under that Section.

G. R. S. 58 To the Excise Commr in mysore
Letter no 3355 Dt 11.12.12.
Observes that under Sec 31 of the Excise Regulation an officer below the rank of an [redacted] Inspector Cannot be empowered

to search houses without a warrant and enquires if it is absolutely necessary to invest the Asstt Inspectors with this power.

From the Excise Comm^{r} No 6331 dy 18.2.13

States that under the circumstances referred to it is not desirable to invest the Asstt Inspectors with powers to search houses.

To the Excise Comm^{r} in Myore
No FC 4900 dy 1.3.13.
Records Sl 3

G.R.S. 11] 1912-3

GENERAL AND REVENUE SECRETARIAT.

(S.R)

NOTES.

File No. 129-12

FILE HEADING.

Additional Powers to Excise Asst Inspectors deputed for detection work.

From

The Excise Commr. in Mysore

No. 3624 Dated 6/11/12 Received 14/11/12

Diary No. 1706	Enclos. 1.	Spare Copies. —	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Points out that the Asst Inspectors in charge of the detection party has to conduct searches under sec 31, Mysore Excise Regn, for the successful working of the scheme and requests that Asst Inspectors of any force in charge of the detection party may be empowered to conduct searches under that section.

NOTES AND ORDERS.

1. Reading section 4 clause(d) and section 2 serial no (5) of the Excise Regn an assistant Inspector cannot be empowered to exercise the powers under section 31 of the same Regn. The Asst Inspr must be first appointed to perform the

NOTES—First Sheet.

GRS—30,000—12-8-11

G. R. S. 12]

General and Revenue Secretariat.

SR File No. 129 of 1912

Serial No.

acts and duties mentioned in Sects 40 to 53 of the said Regn. Then in addition he may exercise the powers conferred under sec 31. But the Excise Commr requests that the Asst Inspector in charge of the detective Party may be authorized to exercise the powers under sec 31. He does not say whether he considers it necessary that this class of officers are required to exercise the powers under Sects 40 to 53 of the Regn. The Excise Commr does not perhaps consider the necessity for this provision which may be considered as a condition precedent.

S.R. 9408-8. Q

2. In another connection when the question of investing the Officer in charge of the Kolar Gold Fields Patrol Party with powers to perform the acts and duties mentioned in Section 31 of the Excise Regn, this Officer was invested with power to perform the acts and duties mentioned in Secs 40 to 53 inclusive of the said Regn

3. In this instance

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

G. R. S. 12]

General and Revenue Secretariat.

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the Excise Commr does not say if this procedure is necessary. He suggests that the Asst Inspectors in charge of the detective parties be invested with powers under Sec 31 of the Excise Regn.

4. May the Excise Commr be requested to state what exactly the scope of his suggestion is?

Subd for orders.

Mr. 83 SR

27/11/12 Under Sec 3, Sub-Sec 5 Excise Regn no Excise officer below the rank of an Excise Inspector can be ~~authorised to~~ search houses. If an Asst Inspector has to be authorised he must first be invested with the powers to perform acts and duties mentioned in Secs 40 to 53 inclusive in order that he might become an "Excise Inspector" within the meaning of the definition given in Sec 4(d) Please put up draft

NOTE—Contn. sheet.

GPB—65,000—17-8-12.

G. R. S. 12]

General and Revenue Secretariat.

SR File No. 129 of 1912

Serial No.

pointing out the above and enquiring if in the circumstances it is desirable to invest Asst Inspectors with powers to search houses under Sec 31.

29/4/12

A draft is put up.

5-83
4/5/12

(6) The draft explains the circumstances under which the inquiry is proposed to be made.

Dft may perhaps be approved

8/5/12

2nd

Draft approved by Govt

9.12.12

NOTE—Contn. sheet.

GPR—65,000—17-6-12.

G.R. S. 12]

General and Revenue Secretariat.

S—R. File No. 129 of 1912

Serial No.	
2	No The Excise Commr in Mysore Letter No. 3355 & 11-12-12 Observes that under Sec. 31 of the Excise Regulation an officer below the Rank of an Insp^r cannot be empowered (without a warrant) to search houses, and enquires if it is absolutely necessary to invest the Asst: Insprs. with the power
3	From the Excise Commissioner. no 6331 Dt 18/12/12 States that under the circumstances referred to, it is not desirable to invest the Assistant Inspectors with powers to search houses.
	~~May this be filed?~~ Submitted for orders.
B	20/12 Submd for perusal. No further action is necessary. Perhaps the Excise Com^r's letter may be recorded (D^r Fee 4) Yes Draft 21/12 Draft recording is put up. Submd. 20/12/13 Issue 24/12

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

G. R. S. 12]

General and Revenue Secretariat.

G-R- File No. 129 of 1912-13

Serial No.	
4	To The Excise Commissioner Mysore G6. No. Fl. 4900 & 1. 3. 1913 Records sl.3

No.

Office of the Excise Commissioner

in Mysore,

Dated, Bangalore, 6th November 1912

From

H. Kantaraj Urs, Esq., B.A.,

Excise Commissioner in Mysore.

DIARY No. 1706
1912-1913
SECTION SR
No. 1912
No. 1

To

K.R. Srinivasiengar, Esq., M.A.,
Offg: Secretary to the Government of
His Highness the Maharaja of Mysore,
General and Revenue Departments.

Sir,

In forwarding herewith copy of programme for training the executive Sub-Inspectors of the Department drawn up in consultation with Mr. Abdulla Sheriff, for the information of Government, I have the honor to point out that it is found that the Assistant Inspector in charge of the parties have to conduct searches under section 31 Mysore ~~Service~~ Excise Regulation, for the successful working of the scheme. I have, therefore, to request you to obtain very early orders of Government empowering the Assistant Inspectors of any grade in - - charge of the Detective Party, to conduct searches under section 31 of the Regulation.

I have the honor to be,

Sir,

Your most obedient servant,

Excise Commissioner.

Enclosure to SR 81129-12

Memorandum in re: the working of the Excise Detective scheme.

To start with, the staff of Sub-Inspectors and their menials shall be constituted into parties as follows:-

(1) Number one party consisting of the present Patrol Party at the Gold Fields and the Sub-Inspectors and menials in the Kolar District, with Head Quarters at the Gold Fields, to look after the Gold Fields and Malur Taluk Frontiers.

(2) Number two party consisting of the Sub-Inspectors with -- their menials of the Bangalore District, and five Sub-Inspectors - from the Mysore District with Head Quarters at Bangalore, to look after the City, Anekal and Kankanhalli Taluk Frontiers.

(3) Number three party consisting of men from the Hassan, - - Kadur and Shimoga Districts with Head Quarters at Tarikere, to look after the surrounding tracts and other special localities to which they may be sent as circumstances may necessitate.

(4) Number four party consisting of Sub-Inspectors and menials from the Tumkur and Chitaldrug Districts with Head Quarters at - - Kathadi of Davangere Taluk to look after Harihar, Chennagiri and - Honnalli Taluk Frontiers and the tracts around Davangere.

(5) Number five party consisting of 21 Sub-Inspectors and -- their menials from the Mysore District with Head Quarters at Mysore to look after the City and areas where smuggling etc., may be rife.

(6) Number six party to be stationed at Siral-Koppa in Shikar- -pur Taluk of the Shimoga District, to consist of 5 Sub-Inspectors from Shimoga District to look after the Shikarpur, Sorab and Sagar Taluk Frontiers.

The Inspector of the Range shall be in charge of the party - - stationed therein; members of the party deputed for work beyond their Head Quarter Range, shall be under the orders of the Inspector

of

of the Range in which they are employed for the time being. The Inspector concerned shall be responsible for the proper working of the Party or members thereof in his Range.

With a view to the successful working of the Detective Party and for obtaining good results, Inspectors who have done some good detection work and who are likely to take interest in the work, shall be selected and posted to the Ranges, where Detective Parties are stationed.

The Sub-Inspectors and Assistant Inspectors attached to the Detective parties shall maintain a Diary to be submitted fortnightly through the Range Inspector in charge direct to the Superintendent, who will communicate the detection work done in the District to the District Excise Officer, concerned; a note-book of instru-tions received, and information collected, should be maintained by each Sub-Inspector; the diaries and the note-books shall be treated as "Confidential".

A First Information Report shall be sent in the form to be prescribed for use in triplicate as follows:-

One copy to be submitted direct to the Superintendent immediately after a seizure is made, another to be handed over to the Inspector in whose Range the case is detected with the articles and parties seized, and third to remain in the book kept with the party.

The Range Inspector shall take up the investigation of the case on receipt of the First Information Report, and do all that is necessary for the successful prosecution of the case, as per Excise Commissioner's circular and standing orders.

All correspondence re: detection and serious crime to be treated as "Confidential"; a separate "To" and "From" Registers being maintained for the purpose by the officers concerned. The

Superintendent

Superintendent shall submit his proposals and suggestions in Memo form, and obtain orders of the Excise Commissioner, in a book to be maintained for that purpose; the Superintendent being - - attached to the Excise Commissioner's Staff shall be directly - - subordinate to him in all matters, and there shall be no correspondence between the Excise Commissioner and the Superintendent except through the medium of the "Memo Book" or original files.

The competency or efficiency of the Range Inspectors will be judged by the Excise Commissioner by taking into consideration the successful detection and prosecution work done by them.

Separate pay bills shall be prepared for each party in the Excise Commissioner's Office, payable at the Head Quarters of the Party; the Range Inspector shall on receipt of the bill from the Excise Commissioner's Office cash the same and pay the staff without delay, maintaining a separate acquittance roll; these bills shall be pre-audited and made payable at Treasuries concerned.

As it is necessary informers should be paid small sums not exceeding a rupee or two promptly for any valuable information, they may give, as an encouragement, and as an earnest of a more substantial reward to follow, the Superintendent shall have an imprest advance of Rs.50/- from the Secret Service fund for which the Superintendent will be personally responsible.

Members of the Detective Staff shall be entitled to the daily allowance admissible under the rules for journeys made beyond five miles of their Head Quarters.

The Superintendent shall have 1 Sub-Inspector and menial from each Party to work directly under his directions for collecting - - information, following up clues, and assisting the Superintendent

direct

direct detection work. This party will form the Reserve Party The Sub-Inspectors shall be changed from time to time so that all the men in the staff may have an opportunity of being trained -- directly under the Superintendent.

All instructions to be [redacted] and Districts, in re: detect[redacted] submitted to the Excise Commissioner [redacted] issue.

For [redacted] the following shall be the scope of [redacted] detective staff:-

(a) To detect illicit distillation, [redacted] smuggling and other serious irregularities in [redacted] arrack.

(b) [redacted] Clandestine selling and other irregularities re: Ganja.

(c) To detect illicit tapping and serious kindred offences in re: toddy.

(d) To visit localities where consumption of arrack, Ganja and toddy has fallen, make careful enquiries and report causes.

(e) To keep a careful watch over the licensees of arrack shops selling at higher rates than that allowed by the rules.

The Superintendent shall exercise general control, inspect and guide the detective staff, under the immediate orders of the Excise Commissioner, and in consultation with the Deputy Commissioners and District Excise Officers; he will visit localities where Excise crime is rife and devise means to put down the same; he will personally and through his staff make thorough enquiries into causes for decrease in consumption and consequent fall in -- Revenue, and submit the result of such enquiry to the Excise Commissioner, who will communicate the same with his remarks to the Deputy Commissioners concerned; the duties of the Superintendent and his staff will be of a purely preventive and protective nature.

For the purpose of ascertaining the localities where consumption has fallen, the detective staff shall be furnished with -- Particulars

(6

[redacted] or consumption from the Range Registers when necessary. The Range Inspectors shall submit a statement giving shop-war particulars of stock, progress and consumption of arrack and drugs to the Excise Commissioner direct before the 5th of each month in the prescribed form (to be supplied).

The District Excise Officers shall apply to the Excise Commissioner for the deputation of Detective Parties to localities other than those where they are ordinarily stationed, when necessary; the Superintendent shall comply with requisitions after consultation with the District Excise Officers concerned

Vacancies in the grade of Assistant Inspectors whether - - permanent or temporary shall as a rule be given to Sub-Inspectors who have done good work and proved themselves efficient.

Vacancies in the Detective Staff (Sub-Inspectors) shall be filled up by the Excise Commissioner, and the Superintendent shall make arrangements to fill up menial vacancies by appointing local men fit for detection work.

As a rule no verbal order shall be issued to or by any Officer of the detective staff, and no verbal order shall be acted upon; Inspectors, Assistant Inspectors and Sub-Inspectors should always be given orders and instructions in writing and they should only obey orders etc., given to them in writing in ref detection work and crime.

The members of the Detective Staff shall be supplied with Railway passes, (third class), within defined limits within the State.

The members of the Detective Staff and the informers shall be entitled to rewards in all cases of illicit distillation, smuggling and other kindred offences against Excise Revenue.

(sd) M. Kantaraj Urs.
Excise Commissioner.

" Copy "

Excise Commissioner.

G.R.S. 26]

File No

Serial No.

Diary No. of letter replied to 1706

General and Revenue Secretariat

(882)

, the *19* .

No. 3355

11-12-12

To

The Excise Commissioner

Sir,

Date of issue 11. 12. 12.

Signed by M.S. Hiriyannaiya

Adverting to your letter No 3624 of the 6th Nov/12, requesting that the Asst Inspectors of any grade in charge of the Detective Party may be empowered to conduct searches under Sec 31 of the Excise Regn., I am directed to state that

over.

SUBJECT.

under ~~sec~~ 31 of the Repr no Excise
Officer below the rank of
an Inspector can search
houses and that if an
Asst Inspector has to be
so authorized he must
first be invested with the
power to perform acts and
duties mentioned in Sections
40 ~~to 53~~ inclusive in order
that he might be regarded as
may be deemed an
Excise Inspector within the
meaning of the definition
given in Sec 4(d). of the Act
~~of the Act~~ I am therefore
~~of opinion~~ passed to enquire
if in the circumstances
~~mentioned above~~ it is
desirable to invest Asst
Inspectors with powers to
search houses under sec
31 of the Excise Repr as
recommended

Shaw Ch

List of enclosures,

Copied by [signature] 20/12

Examined by

[signature]

GPB—10,000—28-2-11.

No 83

DIARY No. 3182

19/2-1913
SECTION F2
ORIGINAL No.
FROM

9

OFFICE OF THE EXCISE COMMISSIONER IN MYSORE.

Bangalore, dated 17th February *1913.*

From

M. Kantaraj Urs, Esq., B.A.,

Excise Commissioner in Mysore.

To

K.R. Srinivasiengar, Esq., M.A.,

Offg: *Secretary to the Government of*
His Highness the Maharaja of Mysore,
General and Revenue Departments.

Sir,

Adverting to your letter No.Fl.3355/S.R.129-12-2 dated 11th December 1912 enquiring if it is desirable to invest Assistant Ins--pectors with powers to search houses under Section 31 of the Excise Regulation and subsequent reminder No.Fl.4460 dated 7th February 1913 thereon, I have the honor to state that under the circumstances therein referred to, it is not desirable to invest the Assistant Inspectors -- with powers to search houses at present.

I have the honor to be,

Sir,

Your most obedient servant,

for Excise Commissioner.

AR

25/2/13

(10)

G.R.S. 28]

S—R. **File No.** 129-12

Serial No. 4

Diary No. of letter replied to 3182

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.
(Genl.)

READ—

, *the* 191

Correspondence ending with

Date of issue 1. 3. 1913

letter no. 6331, dated the 17th July 1913 from the Excise Commissioner in Mysore, stating that it is not desirable at present to invest Excise Assistant Inspectors in charge of detective parties with powers to search houses under Sec 31 of the Excise Regn.

Signed by Mr. S. C. Rajagopala-Chari

~~ORDER THEREON. NO.~~

Order thereon No. H 4900

Received. 1-3-13

JR

To Govt. Secy.

~~Secret~~ To

The Excise Commr in Mysore

Bbn

wpd
ser
7.2.13.